

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33020 of 2018

Arising Out of PS. Case No.-218 Year-2017 Thana- MAHUA District- Vaishali

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1. Yugeshwar Sah, S/O Late Ram Dayal Sah,
 2. Urmila Devi @ Pramila Devi W/o Jugeshwar Sah, R/o Vill.- Bharatpur, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-07-2018 Heard the learned counsel for the petitioners and the State.

The petitioners seek bail in anticipation of their arrest in connection with Mahua P.S. Case No. 218 of 2017 dated 03.09.2017 instituted for the offences under Sections 341, 323, 326(A), 307, 504/34 of the Indian Penal Code.

Though the petitioners, who are the husband and wife among themselves, have been named in the FIR, but nothing specific has been alleged against them. The informant has alleged that because of her not having agreed for selling a land in question, the petitioners came inside her house and co-accused Phool Babu caught hold of her whereafter his wife Prabha Devi threw acid, as a result of which she received injuries on



her face.

It has been submitted on behalf of the petitioners that even though the occurrence had taken place on 15.08.2017, the case was lodged on 03.09.2017. It has further been submitted that initially when the victim/informant was examined by the doctor, it could not be ascertained that she had suffered acid burn injuries but only later it was found that the injuries were caused by corrosive substance but the injuries were opined to be simple in nature. So far as the injuries on the right eye is concerned, the opinion has been reserved by the doctor.

Learned counsel for the petitioner therefore submits that but for the petitioners having been named in the FIR, they have not been alleged to have done anything.

Regard being had to the aforesaid facts as also the existence of dispute over sale and purchase of land, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, Vaishali at Hajipur in connection with Mahua
P.S. Case No. 218 of 2017, subject to the conditions as
laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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